

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

GLENN BURTON, JR.,
Plaintiff,

Case No.: 07-C-0303

vs.

AMERICAN CYANAMID CO., *et. al.*
Defendants;

RAVON OWENS,
Plaintiff,

Case No.: 07-C-0441

vs.

AMERICAN CYANAMID CO., *et. al.*
Defendants;

CESAR SIFUENTES,
Plaintiff,

Case No.: 10-C-0075

vs.

AMERICAN CYANAMID CO., *et. al.*
Defendants.

COURT'S FINAL VERDICT FORM

Dated: _____

LYNN S. ADELMAN
UNITED STATES DISTRICT JUDGE

Section I: Liability of Atlantic Richfield Co. for the Acts of Anaconda Lead Products Co.

Question 1. On the question of whether Defendant Atlantic Richfield Co. is liable for the historical acts of Anaconda Lead Products Co., we the jury unanimously answer:

YES: ____

NO: ____

Now proceed to Section II.A and answer questions 2 through 7. If the answer to Question 1 is “yes,” Defendant Atlantic Richfield Co. can be found liable for negligence and strict liability in Questions ____ through ____ for the historical acts of Anaconda Lead Products Co. and its successors, as well as for its own negligence. If the answer to Question 1 is “no,” Defendant Atlantic Richfield can only be found liable in negligence and strict liability in Questions ____ through ____ for its own conduct.

Section II: Liability

A. Negligence

Question 2: On Plaintiff Glenn Burton, Jr.’s negligence claim, we the jury unanimously answer that Plaintiff Glenn Burton, Jr. has proved his claim against:

a. American Cyanamid

YES: ____

NO: ____

b. Atlantic Richfield

YES: ____

NO: ____

c. Armstrong Containers, Inc.

YES: ____

NO: ____

d. E.I. du Pont de Nemours Company

YES: ____

NO: ____

e. Sherwin-Williams Company

YES: ____

NO: ____

Question 3: On Plaintiff Ravon Owens' negligence claim, we the jury unanimously answer that Plaintiff Ravon Owens has proved his claim against:

- a. American Cyanamid
YES: ____
NO: ____
- b. Atlantic Richfield
YES: ____
NO: ____
- c. Armstrong Containers, Inc.
YES: ____
NO: ____
- d. E.I. du Pont de Nemours Company
YES: ____
NO: ____
- e. Sherwin-Williams Company
YES: ____
NO: ____

Question 4: On Plaintiff Cesar Sifuentes' negligence claim, we the jury unanimously answer that Plaintiff Cesar Sifuentes has proved his claim against:

- a. American Cyanamid
YES: ____
NO: ____
- b. Atlantic Richfield
YES: ____
NO: ____
- c. Armstrong Containers, Inc.
YES: ____
NO: ____
- d. E.I. du Pont de Nemours Company

YES: ____

NO: ____

e. Sherwin-Williams Company

YES: ____

NO: ____

Question 5: We the jury unanimously answer that Defendants have proved that NL Industries / National Lead is liable to Plaintiff Glenn Burton, Jr. for negligence:

YES: ____

NO: ____

Question 6: We the jury unanimously answer that Defendants have proved that NL Industries / National Lead is liable to Plaintiff Ravon Owens for negligence:

YES: ____

NO: ____

Question 7: We the jury unanimously answer that Defendants have proved that NL Industries / National Lead is liable to Plaintiff Cesar Sifuentes for negligence:

YES: ____

NO: ____

Now proceed to Section II.B and answer questions 8 through 13.

B. Strict Liability Failure to Warn Claim

Question 8: On Plaintiff Glenn Burton, Jr.'s strict liability failure to warn claim, we the jury unanimously answer that Plaintiff Glenn Burton, Jr. has proved his claim against:

a. Atlantic Richfield

YES: ____

NO: ____

b. Armstrong Containers, Inc.

YES: ____

NO: ____

c. E.I. du Pont de Nemours Company

YES: ____

NO: ____

d. Sherwin-Williams Company

YES: ____

NO: ____

Question 9: On Plaintiff Ravon Owens' strict liability failure to warn claim, we the jury unanimously answer that Plaintiff Ravon Owens has proved his claim against:

a. Atlantic Richfield

YES: ____

NO: ____

b. Armstrong Containers, Inc.

YES: ____

NO: ____

c. E.I. du Pont de Nemours Company

YES: ____

NO: ____

d. Sherwin-Williams Company

YES: ____

NO: ____

Question 10: On Plaintiff Cesar Sifuentes' strict liability failure to warn claim, we the jury unanimously answer that Plaintiff Cesar Sifuentes has proved his claim against:

a. Atlantic Richfield

YES: ____

NO: ____

b. Armstrong Containers, Inc.

YES: ____

NO: ____

c. E.I. du Pont de Nemours Company

YES: ____

NO: ____

d. Sherwin-Williams Company

YES: ____

NO: ____

Question 11: We the jury unanimously answer that Defendants have proved that NL Industries / National Lead is liable to Plaintiff Glenn Burton, Jr. for strict liability failure to warn:

YES: ____

NO: ____

Question 12: We the jury unanimously answer that Defendants have proved that NL Industries / National Lead is liable to Plaintiff Ravon Owens for strict liability failure to warn:

YES: ____

NO: ____

Question 13: We the jury unanimously answer that Defendants have proved that NL Industries / National Lead is liable to Plaintiff Cesar Sifuentes for strict liability failure to warn:

YES: ____

NO: ____

STOP. PLEASE READ THIS INSTRUCTION:

If you answered "YES" to any question in Section II, then proceed to Section III of the verdict form.

If, on the other hand, you answered "NO" to all questions in Section II, then your work is done and you should proceed to Section ____ of the verdict form and sign and date the verdict form.

Section III —Compensatory Damages

Question 14: What is the amount of money that will fairly compensate Glenn Burton, Jr., for his Injuries:

\$ _____

Question 15: What is the amount of money that will fairly compensate Ravon Owens for his Injuries:

\$ _____

Question 16: What is the amount of money that will fairly compensate Cesar Sifuentes for his Injuries:

\$ _____

INSTRUCTION: Please proceed to Section IV.

Section IV – Comparative Negligence

If you answered Yes to any part of Questions 2-4, please answer Questions 17-19 below. If you answered No to all parts of Questions 2-4, please proceed to Section VI below.

Question 17: We the jury unanimously answer that Defendants have proved that the following people breached a duty of ordinary care to Plaintiff Glenn Burton, Jr. and that such breach of duty was a cause of his lead poisoning:

[LIST EACH PARENT / LANDLORD SEPARATELY]

YES: ____

NO: ____

Question 18: We the jury unanimously answer that Defendants have proved that the following people breached a duty of ordinary care to Plaintiff Ravon Owens and that such breach of duty was a cause of his lead poisoning:

[LIST EACH PARENT / LANDLORD SEPARATELY]

YES: ____

NO: ____

Question 19: We the jury unanimously answer that Defendants have proved that the following people breached a duty of ordinary care to Plaintiff Caesar Sifuentes and that such breach of duty was a cause of his lead poisoning:

[LIST EACH PARENT / LANDLORD SEPARATELY]

YES: ____

NO: ____

STOP. PLEASE READ THIS INSTRUCTION:

If you answered "YES" to any question in Section IV, then proceed to Section V of the verdict form.

If, on the other hand, you answered "NO" to all questions in Section IV, then your work is done and you should proceed to Section VI of the verdict form and sign and date the verdict form.

Section V —Allocation of Comparative Negligence

Assuming that the total responsibility for causing each Plaintiff's injuries is 100%, what percentage of the total responsibility do you attribute to:

Question 20: For Glen Burton, Jr.:

Lead Pigment Companies _____

Third Parties _____

Question 21: For Ravon Owens:

Lead Pigment Companies _____

Third Parties _____

Question 22: For Caesar Sifuentes:

Lead Pigment Companies _____

Third Parties _____

Section VI - Signing and Dating of the Verdict Form

Each juror should sign and date this Verdict Form.

_____ Foreperson	_____ Date
_____ Juror	_____ Date
_____ Juror	_____ Date
_____ Juror	_____ Date
_____ Juror	_____ Date
_____ Juror	_____ Date

Dated: April 1, 2019

Respectfully submitted,

By: /s/ Fidelma L. Fitzpatrick

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CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2019, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/Fidelma L. Fitzpatrick

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